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PCT

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q85692

HABASHITA, Hiromu, et al.

Appln. No.: 10/520,660

Group Art Unit: Not yet assigned

Confirmation No.: Not yet assigned

Examiner: Not yet assigned

Filed: January 10, 2005

For: CCR4 ANTAGONIST AND MEDICAL USE THEREOF

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby supplements the Information Disclosure Statement filed on January 10, 2005. That IDS listed five documents, as well as the corresponding International Search Report. However, copies of the documents were not provided at the time of the filing of the IDS. We now enclose for your convenience copies of the same.


The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 10/520,660

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: May 19, 2005

INTERNATIONAL SEARCH REPORT

International Application No.

PCT/JP03/08654

A. CLASSIFICATION OF SUBJECT MATTER

Int.Cl⁷ C07D241/22, A61K31/4965, 31/497, 31/498, 31/506, A61P1/04,
1/16, 1/18, 3/10, 9/10, 11/00, 11/06, 13/12, 17/06, 19/02,
25/00, 27/02, 27/16, 29/00, 31/12, 31/18, 35/00, 35/02, 37/00,

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl⁷ C07D241/22, A61K31/4965, 31/497, 31/498, 31/506,
C07D401/12, 403/12, 405/12, 409/12, 413/12, 417/12,
A61K31/55

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

CA (STN), REGISTRY (STN), WPIDS (STN)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	JP 5-345759 A (Kaken Pharmaceutical Co., Ltd.), 27 December, 1993 (27.12.93), Claims; Par. No. [0080]; examples 5, 6 & EP 529365 A	1-3, 8-12, 14-20, 22-25, 27-32, 34-43, 45-49 33
A		
X	JP 4-257578 A (Bayer AG.), 11 September, 1992 (11.09.92), Claims; Par. No. [0182], example & EP 473024 A	1, 4, 5, 8-28, 30-32, 34-43, 45-49
X	WO 01/45694 A (SMITHKLINE BEECHAM CORP.), 28 June, 2001 (28.06.01), Pages 10, 17, 31 & JP 2003-518057 A	1, 3, 8-12, 14-20, 22-25, 27-32, 34-43, 45-49

☒ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not
considered to be of particular relevance
"E" earlier document but published on or after the international filing
date
"L" document which may throw doubts on priority claim(s) or which is
cited to establish the publication date of another citation or other
special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other
means
"P" document published prior to the international filing date but later
than the priority date claimed

"T" later document published after the international filing date or
priority date and not in conflict with the application but cited to
understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be
considered novel or cannot be considered to involve an inventive
step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be
considered to involve an inventive step when the document is
combined with one or more other such documents, such
combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search
05 August, 2003 (05.08.03)

Date of mailing of the international search report
19 August, 2003 (19.08.03)

Name and mailing address of the ISA/
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP03/08654

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X ✓	WO 02/20437 A (MENARINI RICERCHE), 14 March, 2002 (14.03.02), Claims; examples 14, 15; page 33 & AU 2002-10495 A	1-12, 14-20, 35-43, 45-49
P, X ✓	WO 03/16254 A (Ono Pharmaceutical Co., Ltd.), 27 February, 2003 (27.02.03), Claims (Family: none)	1-43, 45-49

INTERNATIONAL SEARCH REPORT

International Application No.

PCT/JP03/08654

Box I Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 44
because they relate to subject matter not required to be searched by this Authority, namely:
Claim 44 pertains to a method for treatment of the human body by therapy.
2. ☒ Claims Nos.: 1-32, 34-43, and 45-49
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
(See extra sheet)
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

Continuation of A. CLASSIFICATION OF SUBJECT MATTER
(International Patent Classification (IPC))

Int.Cl⁷ 37/06, 37/08, 43/00, 17/00, C07D401/12, 403/12, 405/12, 409/12,
413/12, 417/12, A61K31/55

(According to International Patent Classification (IPC) or to both national
classification and IPC)

Continuation of Box No. I-2 of continuation of first sheet(1)

The subject matters of claims 1-32, 34-43, and 45-49 are a compound represented by the general formula (I), a medicinal composition containing the compound as an active ingredient, etc. However, the compound involves an extremely wide range of various compounds. It is hence difficult to make a complete search for all of them. On the other hand, the compounds which are supported by the description in the meaning of Article 6 of the PCT and are disclosed in the description in the meaning of Article 5 of the PCT are limited to an extremely small part of the compounds.

Consequently, claims 1-32, 34-43, and 45-49 and the description do not comply with the given requirements to such a degree that a meaningful international search can be made.

The term "prodrug" used in the claims is unclear as to what structure is implied, even when the statements in the description are investigated. This term hence makes the scope of the compounds and medicines of the invention unclear.

In this international search report, a search with respect to claims 1-32, 34-43, and 45-49 was hence made for the compounds specified in the description through prior art documents within the range of a reasonable burden.